

Rec'd PCT/PTO 27 JUN 2005

PTO-1390 (Rev. 12-2004)

Approved for use through 3/31/2007. OMB 0651-0021

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		<b>ATTORNEY'S DOCKET NUMBER</b> 47706
<b>INTERNATIONAL APPLICATION NO.</b> PCT/EP03/03667		<b>U.S. APPLICATION NO. (if known, see 37 CFR 1.5)</b> 10/510,622
<b>INTERNATIONAL FILING DATE</b> 9 April 2003		<b>PRIORITY DATE CLAIMED</b> 10 April 2002
<b>TITLE OF INVENTION</b> A PROCESS FOR THE PREPARATION OF STEM CELLS FROM HUMAN MUSCLE TISSUE AND ADIPOSE TISSUE, AND STEM CELLS OBTAINABLE BY THIS PROCESS		
<b>APPLICANT(S) FOR DO/EO/US</b> Giulio ALESSANDRI et al.		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

- ☐ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
- ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
- ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (8), (9) and (21) indicated below.
- ☐ The US has been elected (Article 31).
- ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - ☐ is attached hereto (required only if not communicated by the International Bureau).
  - ☐ has been communicated by the International Bureau.
  - ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
- ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - ☐ is attached hereto.
  - ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
- ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - ☐ are attached hereto (required only if not communicated by the International Bureau).
  - ☐ have been communicated by the International Bureau.
  - ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - ☐ have not been made and will not be made.
- ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
- ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
- ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

- ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
- ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
- ☐ A preliminary amendment.
- ☐ An Application Data Sheet under 37 CFR 1.76.
- ☐ A substitute specification.
- ☐ A power of attorney and/or change of address letter.
- ☒ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.
- ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
- ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
- ☒ Other items or information: Req. for Refund; Verified Stmt Claiming Sm Entity Status; Supplemental Prelim. Amend

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1-150, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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U.S. APPLICATION NO. (if known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER	
10/510,622		PCT/EP03/03667		47706	
21. The following fees are submitted:					
<input type="checkbox"/> a) Basic national fee.....		\$300.00		\$	
<input type="checkbox"/> b) Examination fee.....		\$200.00		\$	
<input type="checkbox"/> c) Search fee.....		\$500.00		\$	
<b>TOTAL OF ABOVE CALCULATIONS =</b>		<b>\$1000.00</b>		\$	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		x \$250.00	\$	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$ 130.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	14 - 20 =	20	x \$50.00	\$	
Independent claims	3 - 3 =	0	x \$200.00	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	\$	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$ 130.00	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$ 65.00	
<b>SUBTOTAL =</b>				\$ 65.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				+	\$
<b>TOTAL NATIONAL FEE =</b>				\$	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.26, 3.31). \$40.00 per property.				+	\$ 40.00
<b>TOTAL FEES ENCLOSED =</b>				\$ 105.00	
				Amount to be refunded:	\$
				Amount to be charged:	\$
a. <input checked="" type="checkbox"/> A check in the amount of \$ 105.00 to cover the above fees is enclosed.					
b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.					
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>18-2220</u> . A duplicate copy of this sheet is enclosed.					
d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.					
SEND ALL CORRESPONDENCE TO:					
Customer No. 001609					
Roylance, Abrams, Berdo & Goodman, L.L.P.					
1300 19th Street, N.W., Suite 600					
Washington, D.C. 20036					
Telephone: (202) 659-9073					
				SIGNATURE	
				Lance G. Johnson	
				NAME	
				32,531	
				REGISTRATION NUMBER	

rec'd PCT/PTO 27 JUN 2005

47706

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Giulio ALESSANDRI et al.

# PATENT

**Serial No.: 10/510,622**

Group Art Unit:

**Filed: October 8, 2004**

**Examiner:**

**For: A PROCESS FOR THE PREPARATION  
OF STEM CELLS FROM HUMAN  
MUSCLE TISSUE AND ADIPOSE  
TISSUE, AND STEM CELLS  
OBTAINABLE BY THIS PROCESS**


## REQUEST FOR RECONSIDERATION OF REQUIREMENT TO SUBMIT SEQUENCE LISTING

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants hereby request reconsideration on the sequence listing requirement under 37 CFR 1.821-1.825 for the above-identified application. Inspection of the specification will show that the invention does not have or need a sequence listing. One of the references enclosed in an Information Disclosure Statement (PCT/WO 01/54365) has a sequence listing, but not the present invention.

Respectfully submitted,

  
Lane G. Johnson  
Reg. No. 32,531

**Roylance, Abrams, Berdo & Goodman, L.L.P.**  
1300 19th Street, N.W.  
Suite 600  
Washington, D.C. 20036  
(202) 659-9076

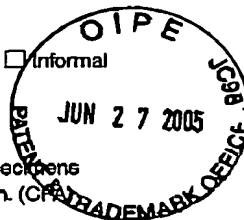
Dated: June 27, 2005

Rec'd PCT/PTO 27 JUN 2005

Due Date July 13, 2005Today's Date June 27, 2005USSN/USP 10/510,622 PAB&G FILE NO. 47706 BY: LGJ / SPIn Re Giulio ALESSANDRI et al.For A Process for the Preparation of Stem Cells From Human...

The following was received in the U.S. Patent &amp; Trademark Office on the date stamped hereon:

- ☒ Check for \$ 105.00  
☐ Specification \_\_\_\_\_ pgs. \_\_\_\_\_ claims  
☒ Combined Decl., Petition & Power  
☒ Assignment  
☐ Drawings \_\_\_\_\_ Sheets ☐ Formal ☐ Informal  
☒ Small Entity Statement  
☐ Claim for Priority & ☐ Document  
☐ Information Disclosure Statement  
☐ Trademark Application & \_\_\_\_\_ Specimens  
☐ Rule 53(b) Appln. ☐ Rule 53(d) Appln. (CFR)



- ☐ Amendment ☐ Response  
☐ Notice of Appeal  
☐ Brief ☐ Req: Oral Hearing  
☐ Issue Fee Transmittal  
☐ Trademark Renewal Application  
☐ Decl. of Use ☐ 8 ☐ 15  
☐ Petition to Extend \_\_\_\_\_ mos./days  
☒ Completion of Application  
☒ Req. for Refund  
☐ \_\_\_\_\_  
☐ Due Date Not Related To Response